

STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION--DIVISION OF WATER QUALITY
November 18, 2004

ITEM 6

SUBJECT

CONSIDERATION OF A RESOLUTION APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE COLORADO RIVER BASIN REGION TO INCORPORATE A PROHIBITION OF DISCHARGE OF WASTE FROM INDIVIDUAL DISPOSAL SYSTEMS THAT OVERLIE THE MISSION CREEK AQUIFER OR THE DESERT HOT SPRINGS AQUIFER IN RIVERSIDE COUNTY

DISCUSSION

The Colorado River Basin Regional Water Quality Control Board (Regional Board) adopted a revised Water Quality Control Plan for the Colorado River Basin Region (Basin Plan) on November 17, 1993, which was approved by the State Water Resources Control Board (SWRCB) on February 17, 1994 and by the Office of Administrative Law (OAL) on August 3, 1994.

On March 30, 2004, the Regional Board adopted Resolution No. R7-2004-0017 ([Attachment 1](#)), which would implement Section 13281(b) of the California Water Code. The background of section 13281 is contained in Senate Bill 1852. Section 13281(b) requires the Regional Board to prohibit the discharge of waste from individual disposal systems (septic tanks) on parcels less than one-half acre that overlie the Mission Creek or Desert Hot Springs aquifers in Riverside County, if a sewer system is available within two hundred feet. The Mission Creek aquifer is a sole source, high quality drinking water aquifer serving the City of Desert Hot Springs and neighboring communities. The Desert Hot Springs aquifer is known for pristine hot mineral water that supports the local economy.

This Basin Plan amendment satisfies legal mandates and protects the quality and current and future beneficial uses of the Mission Creek and Desert Hot Springs aquifers by limiting septic tank density. Action is critical for the health, safety, and welfare of local residents, given the superior water quality of the Mission Creek aquifer, the lack of an alternative municipal water supply, and the vulnerability of the aquifer to pollution from septic tanks.

SWRCB has awarded two Proposition 13 grants to Mission Springs Water District for a total of \$2,800,000 for the elimination of septic tanks on parcels less than one-half acre overlying the Desert Hot Springs or Mission Creek Aquifers if a sewer is available. Pursuant to Section 13225(c) of the California Water Code, the Regional Board is requiring the Mission Springs Water District to submit to the Regional Board a report describing the status of sewer system availability to affected parcels. This would occur one year following SWRCB approval of this Basin Plan amendment.

SWRCB staff determined that certain provisions of the amendment language as adopted by the Regional Board warranted minor, non-substantive changes. These changes were submitted by the Regional Board Executive Officer ([Attachment 2](#)).

POLICY ISSUE

Should SWRCB approve the amendment to the Basin Plan in accordance with the Staff Recommendation below?

FISCAL IMPACT

Regional Board and SWRCB staff work associated with or resulting from this action can be accomplished within budgeted resources.

RWQCB IMPACT

Yes, Colorado River Basin Regional Board.

STAFF RECOMMENDATION

That SWRCB:

1. Approves the amendment to the Basin Plan to prohibit the discharge of waste from individual disposal systems on parcels less than one-half acre that overlie the Mission Creek or Desert Hot Springs aquifers if a sewer system is available, as adopted under Regional Board Resolution No. R7-2004-0017 (Attachment 1) as corrected by the Regional Board Executive Officer.
2. Authorizes the Executive Director to submit the amendment (Attachment 2) as corrected by the Executive Officer of the Regional Board, to OAL for approval.

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2004-

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL
PLAN FOR THE COLORADO RIVER BASIN REGION TO INCORPORATE A
PROHIBITION OF DISCHARGE OF WASTE FROM INDIVIDUAL
DISPOSAL SYSTEMS THAT OVERLIE THE MISSION CREEK AQUIFER
OR THE DESERT HOT SPRINGS AQUIFER IN RIVERSIDE COUNTY

WHEREAS:

1. The Colorado River Basin Regional Water Quality Control Board (Regional Board) adopted a revised Water Quality Control Plan for the Colorado River Basin Region (Basin Plan) on November 17, 1993, which was approved by the State Water Resources Control Board (SWRCB) on February 17, 1994 and by the Office of Administrative Law (OAL) on August 3, 1994.
2. On March 30, 2004, the Regional Board adopted Resolution No. R7-2004-0017 amending the Basin Plan to prohibit the discharge of waste from individual disposal systems (or septic tanks) on parcels less than one-half acre that overlie the Mission Creek or Desert Hot Springs Aquifers in Riverside County, if a sewer system is available within two hundred feet
3. Regional Board staff prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act, scientific peer review, and other State laws and regulations.
4. SWRCB staff determined that certain provisions of the amendment language as adopted by the Regional Board warranted minor, non-substantive changes. These changes were submitted by the Regional Board Executive Officer.
5. A Basin Plan amendment does not become effective until approved by SWRCB and until the regulatory provisions are approved by OAL.

THEREFORE BE IT RESOLVED THAT:

SWRCB:

1. Approves the amendment to the Basin Plan to prohibit the discharge of waste from individual disposal systems on parcels less than one-half acre that overlie the Mission Creek or Desert Hot Springs aquifers if a sewer system is available, as adopted under Regional Board Resolution No. R7-2004-0017 as corrected by the Regional Board Executive Officer.

2. Authorizes the Executive Director to submit the amendment as corrected by the Executive Officer of the Regional Board, to OAL for approval.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on November 18, 2004.

Debbie Irvin
Clerk to the Board